

Case No. 1:CV-00-2143
John Charles Kenney, plaintiffs
Exhibit - Attachments


McClure/
Blewett

(99)

3/7/02

KF

ATTACHMENT ONE

FILED
WILLIAMSPORT, PA
MAR 5 2002
MARY E. D'ANDREA, CLERK
Per  Deputy Clerk



"Attachment-One"

U.S. Department of Justice

Federal Bureau of Prisons

U.S. Penitentiary, Allenwood

White Deer, PA 17887-3500
September 29, 1999

MEMORANDUM FOR SPECIAL INVESTIGATIVE SERVICES

FROM:

A handwritten signature in dark ink, appearing to read "JWG", is written over the printed name "J. W. Gonzalez".

J. W. Gonzalez, Unit Manager III

SUBJECT:

Assault on Staff

RE:

KENNEY, John
Reg. No. 05238-041

On the above date at approximately 12:50 p.m. I approached the sallyport between Unit III-A and the unit team office to speak with inmate Kenney. I approached the entrance door to Unit III-A and unlocked the unit door to speak with inmate Kenney. As inmate Kenney entered the sallyport he began to talk to me regarding the inmate that was assigned to his cell earlier during the day. Inmate Kenney began to state that he could not live with any other inmate and indicated that he needed to remain in a single cell. I explained to inmate Kenney that there is nothing in his central file or any medical and/or psychological concerns that warrants a single cell. I further indicated to Inmate Kenney that I am aware that he is filing through the Courts regarding his single cell status and that he needed to be patient. I explained to him if the court ruled in his favor, the Bureau of Prisons would honor the Courts request. However, at this time he would have to be double celled with another inmate. Inmate Kenney then asked me what time was I leaving today. I advised Inmate Kenney that I was leaving at 4:00 p.m. Inmate Kenney then mentioned can I move to another cell. I advised him that he can move to any cell that was doubled and/or I can make a cell change with any other inmate that he feels compatible with as long as all four inmates were in agreement. At this inmate Kenney closed his right hand and made a fist and pulled his right hand back and suddenly took a swing at my face. As I saw the blow coming towards the right side of my face I turned my head to the left although contact was made with his closed fist hitting the right side of my face it deflected the severity of the blow. Inmate Kenney then began to charge at me swinging with closed fists at my face. I pulled back into the unit team office door that was opened. As a struggled with inmate Kenney we both fell to the floor and he continued to swing his closed fists at the upper part of my body. I continued to exchange blows in order to defend myself. At this time Unit III-A Officer Scarborough arrived and he assisted in attempting to subdue inmate Kenney's aggressive

"Attachment-One"

Assault on Staff

RE: Kenney, John

Reg. No. 05238-041

Page 2

actions. Officer Scarborough radioed for assistance. As Officer Scarborough and myself gained control of inmate Kenney we kept him pinned to the floor until assistance arrived. Inmate Kenney was then restrained and escorted to medical services for screening and to the Special Housing unit. Officer Scarborough and myself used only enough immediate force to subdue inmate Kenney and to gain control of his aggressive behavior.

If you have any questions you may contact me at ext. 6430.

ATTACHMENT TWO



"A Hochstadt Two"


U.S. Department of Justice

Federal Bureau of Prisons


U. S. Penitentiary, Allenwood

White Deer, PA 17887-3500

September 29, 1999


MEMORANDUM FOR T. NOONE, OPERATIONS LIEUTENANT

FROM:


K. Keiser, Case Manager

SUBJECT:

Incident in Unit 3-A

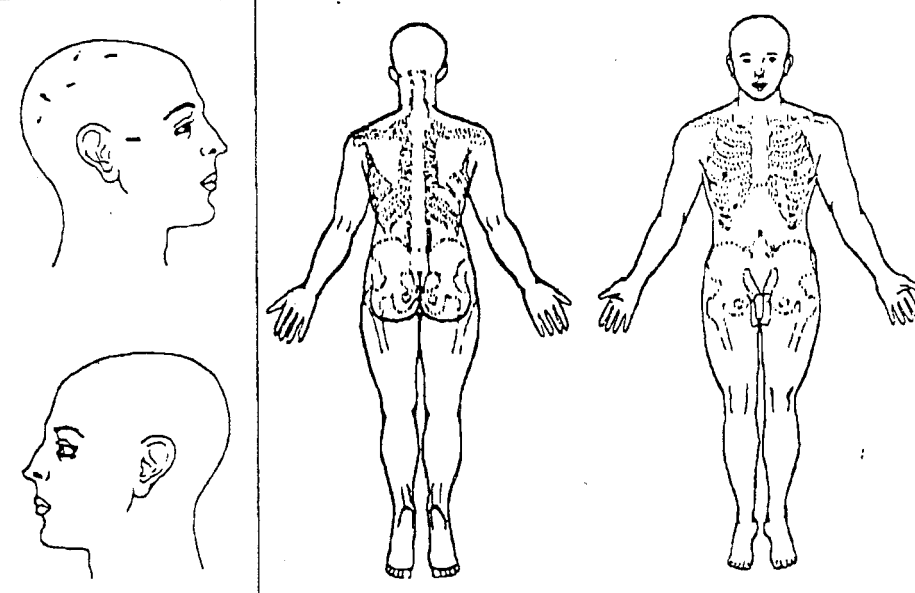
On the aforementioned date at approximately 12:50 p.m., I was in the "Team Room" of the center office of unit 3-A when I heard scuffling and crashing noises coming from the secretary's area. Upon entering the area, I saw officer Scarborough and Unit Manager Gonzalez laying on top of inmate KENNEY, John, Register Number 05238-04; Unit Manager Gonzalez was yelling, "give it up Kenney", as inmate Kenney continued to struggle. Inmate Kenney was bleeding from the head. Officer Scarborough and myself called for assistance over the radio. It should be noted that prior to this incident, inmate Kenney and Unit Manager Gonzalez were involved in a conversation regarding inmate Kenney's cellmate. Inmate Kenney was obviously agitated by the fact that he had received a cellmate after having a single cell for over one week.

"A Hochstadt-Two"

ATTACHMENT THREE

U.S. DEPARTMENT OF JUSTICE
Federal Bureau of Prisons

INMATE INJURY ASSESSMENT AND FOLLOWUP
(Medical)

1. Institution ALP	2. Name of Injured Kenny, John	3. Register Number 05238-041
4. Injured's Duty Assignment Compound Sanitation	5. Housing Assignment II A	6. Date and Time of Injury 9/29/99 1245
7. Where Did Injury Happen (Be specific as to location) II A	Work Related? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	8. Date and Time Reported for Treatment 9/29/99 1305
9. Subjective: (Injured's Statement as to How Injury Occurred)(Symptoms as Reported by Patient) "The unit manager said 'Fuck you you're getting a celly' and started hitting me on the head with his keep."		
Signature of Patient _____		
10. Objective: (Observations or Findings from Examination) Head: numerous small cuts all over head. mild bleeding Lateral side of R eye small cut Eyes: PERRL no other injuries noted	X-Rays Taken _____ Not Indicated <input checked="" type="checkbox"/> X-Ray Results _____	
11. Assessment: (Analysis of Facts Based on Subjective and Objective Data) Mild superficial abrasions throughout head		
12. Plan: (Diagnostic Procedures with Results, Treatment and Recommended Follow-up) ① Head abrasions cleaned w peroxide. Antibiotic ointment applied ② Alert medical staff if any problems arise		
13. This Injury Required: <input type="checkbox"/> a. No Medical Attention <input checked="" type="checkbox"/> b. Minor First Aid <input type="checkbox"/> c. Hospitalization <input type="checkbox"/> d. Other (explain) _____ <input type="checkbox"/> e. Medically Unassigned <input type="checkbox"/> f. Civilian First Aid Only <input type="checkbox"/> g. Civilian Referred to Community Physician		
Signature of Physician or Physician Assistant J. Desai PA		

Self Carboned Form - If ballpoint pen is used, PRESS HARD

Original - Medical File
Canary - Safety
Pink - Work Supervisor (Work related only)
Goldenrod - Correctional Supervisor

"Attachment-Three"

Defendant's copy portion of discovery material / Dist. Ct. No. 4:99 CA 230 Williamsport, PA

Attachment-Three